



U.S. Department of Justice

United States Attorney  
Southern District of New York86 Chambers Street, 3<sup>rd</sup> Floor  
New York, New York 10007

July 15, 2020

BY ECF

The Honorable Robert W. Lehrburger  
 United States Magistrate Judge  
 Southern District of New York  
 500 Pearl Street  
 New York, New York 10007

**USDC SDNY**  
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Re: *Lederman, et al. v. United States Department of State*, 20-cv-4011 (LTS) (RWL)

Dear Judge Lehrburger:

I write on behalf of both parties in the above-referenced action brought pursuant to the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”), in advance of the initial pretrial conference, which is currently scheduled on July 23, 2020. Additionally, in advance of that conference, the parties have a submission due to the Court on July 16, 2020. The parties respectfully request that the initial conference be adjourned by approximately one week and that the corresponding submission be extended until July 24, 2020. This is the parties’ first request for an extension.

As a brief overview of this action, Plaintiffs Josh Lederman, a journalist for NBC, and NBC Universal Media, LLC (Lederman’s employer), bring this action based upon a FOIA request submitted to the Department of State (“State” or “Department”) on November 14, 2019 (“Request”). The Request sought all emails between an email address that Plaintiffs identified as the personal email address of Secretary of State Pompeo’s wife and any state.gov email address for the time period spanning April 26, 2018, to November 13, 2019. Plaintiffs filed the complaint in this action on May 22, 2020, and State answered the complaint on July 2, 2020.

The parties are still in the process of conferring relating to this matter and gathering relevant information, which the parties believe will be helpful in proposing a path forward in this action. Accordingly, the parties request that the initial conference be adjourned to the week of July 27<sup>th</sup> and that the parties be permitted to make a filing in advance of that initial conference on July 24, 2020. Currently, the parties are available for a conference on July 29, 30, and 31.

The parties thank the Court for its attention to this matter.

Respectfully,

AUDREY STRAUSS  
Acting United States Attorney for the  
Southern District of New York

By: /s/ Alexander J. Hogan  
ALEXANDER J. HOGAN  
Assistant United States Attorney  
86 Chambers Street, Third Floor  
New York, New York 10007  
Tel.: (212) 637-2799  
E-mail: alexander.hogan@usdoj.gov

The Initial Pretrial Conference currently set for July 23, 2020  
at 2:30 p.m. is rescheduled to August 11, 2020 at 2:30 p.m.

Counsel shall jointly complete and file Judge Lehrburger's  
[Proposed] Civil Case Management Plan and Scheduling  
Order, which must be submitted in compliance with Judge  
Lehrburger's Individual Practices, no later than August 4,  
2020, by 5:00 p.m.

SO ORDERED:

7/20/2020



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HON. ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE